

REMARKS

This Application has been carefully reviewed in light of the Official Action mailed January 7, 2005. In order to advance prosecution of this Application, Claims 1, 6, 19, and 21 have been amended. Applicant respectfully requests reconsideration and favorable action for this Application.

Claims 1-23 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 23-27 of U.S. Patent No. 6,282,195. Attached herewith is a Terminal Disclaimer with check to overcome this rejection.

Claims 1-5, 9-20, 22, and 23 stand rejected under 35 U.S.C. §102(e) as being anticipated by Wicki, et al. As discussed below, Independent Claim 19 has been amended to include the allowable limitation of Claim 21. Independent Claim 1 recites ". . . wherein each packet includes a coherent transaction bit that determines whether a packet is to be included in a coherent memory operation." By contrast, the Wicki, et al. patent does not provide for each packet having a coherent transaction bit. The portion of the Wicki, et al. patent cited by the Examiner merely refers to an acknowledgment packet that is sent to indicate that an error free data packet has been received. There is nothing in this portion of the Wicki, et al. patent cited by the Examiner that mentions a coherent transaction bit in each packet as provided in the claimed invention. Support for the above recitation can be found at page 13, lines 12-15, of Applicant's specification. Therefore, Applicant respectfully submits that Claims 1-5, 9-20, 22, and 23 are not anticipated by the Wicki, et al. patent.

Claims 6-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Wicki, et al. Independent Claim 1,

from which Claims 6-8 depend, has been shown above to be patentably distinct from the Wicki, et al. patent. Therefore, Applicant respectfully submits that Claims 6-8 are patentably distinct from the Wicki, et al. patent.

Applicant notes with appreciation the allowability of Claim 21 if placed into appropriate independent form. Independent Claim 19 has been amended to include the allowable limitation of Claim 21. Therefore, Applicant respectfully submits that Claims 19-23 are in condition for allowance.

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other apparent reasons, Applicant respectfully requests allowance of all pending claims.

The Commissioner is hereby authorized to charge any fees and/or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant

A handwritten signature in black ink, appearing to read 'Charles S. Fish', is written over the printed name.

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